

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



UNITED STATES OF AMERICA

v.

GREGORY KYLE SEERDEN,

Defendant.

)
)
) Criminal No. 2:17cr 67
)
) 18 U.S.C. §§ 2251(a) and (e)
) Production of Child Pornography
) (Count One)
)
) 18 U.S.C. §§ 2252A(a)(1) and (b)(1)
) Transportation of Child Pornography
) (Counts Two and Three)
)
) 18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)
) Possession of Child Pornography
) (Count Four)
)
) 18 U.S.C. § 2253
) Criminal Forfeiture

INDICTMENT

April 2017 Term -- At Norfolk, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about January 1, 2017, in the Eastern District of Virginia, and elsewhere, the defendant, GREGORY KYLE SEERDEN, did employ, use, persuade, induce, entice, and coerce a minor, Jane Doe, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and such visual depictions were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means, including by computer, and GREGORY KYLE SEERDEN knew and had reason to know that such visual depiction would be, and later was, transported by him in interstate commerce from outside of Virginia into the Eastern District of Virginia.

(In violation of Title 18, United States Code, Sections 2251(a) and (e).)

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 21, 2017, within the Eastern District of Virginia and elsewhere, the defendant, GREGORY KYLE SEERDEN, knowingly transported, using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, child pornography; to wit, GREGORY KYLE SEERDEN knowingly transported electronic files named “video.mov,” “video1.mov,” “video2.mov,” and “video3.mov.”

(In violation of Title 18, United States Code, Sections 2252A(a)(1) and (b)(1), and 2256(8)(A).)

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 21, 2017, within the Eastern District of Virginia and elsewhere, the defendant, GREGORY KYLE SEERDEN, knowingly transported, using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, child pornography; to wit, GREGORY KYLE SEERDEN knowingly transported electronic files named “img4.jpg,” “img11.jpg,” “img18.jpg,” and “img45.jpg.”

(In violation of Title 18, United States Code, Sections 2252A(a)(1) and (b)(1), and 2256(8)(A).)

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 27, 2017, in the Eastern District of Virginia, the defendant, GREGORY KYLE SEERDEN, did knowingly possess material which contained images of child pornography, that had been shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, including by computer, and the child pornography involved a prepubescent minor who had not attained the age of 12 years of age; to wit, GREGORY KYLE SEERDEN did knowingly possess a white iPhone 7, Model Number A1660, containing images of child pornography.

(In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2), and 2256(8)(A).)

CRIMINAL FORFEITURE

THE GRAND JURY FURTHER ALLEGES AND FINDS PROBABLE CAUSE THAT:

A. Defendant GREGORY KYLE SEERDEN, upon conviction of one or more counts in this Indictment, as part of the sentencing of the defendant pursuant to Fed.R.Crim.P. 32.2, shall forfeit to the United States:

1. Any and all matter which contains child pornography or any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260 produced, transported, mailed, shipped, distributed or received in violation of Title 18, United States Code, Section 2251 *et seq.*;

2. Any and all property, real and personal, used or intended to be used in any manner or part to commit or to promote the commission of violations of Title 18, United States Code, Section 2251 *et seq.*, and any property traceable to such property;

3. Any and all property, real and personal, constituting, derived from, or traceable to gross profits or other proceeds obtained from the violations of Title 18, United States Code, Section 2251 *et seq.*; and

4. Any other property of the defendant, up to the value of the property subject to forfeiture, if any property subject to forfeiture, as a result of any act or omission of the defendant (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third party, (c) has been placed beyond the jurisdiction of the Court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be divided without difficulty.

B. The property subject to forfeiture under Paragraph A includes, but is not limited to, the following items:

1. One (1) white iPhone 7, Model Number A1660, serial number F4GSF2JTHG77.

(All pursuant to Title 18, United States Code, Sections 2253 and Title 21, United States Code, Section 853(p).)

Sealed Pursuant to the
E-Government Act of 2002

United States v. SEERDEN, 2:17cr

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A TRUE BILL:

REDACTED COPY


FOREPERSON

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